

UNITED STATES BANKRUPTCY COURT
Middle District of Florida
Orlando Division

IN RE:

Case No: 6:19-bk-06620-LVV

CHERYL SUE BENNETT

Debtor /

Chapter 13

TRUSTEE'S MOTION TO DISMISS CASE FOR INCURRING 2023 POST-PETITION TAX DEBT

Notice of Opportunity to Object and Request for Hearing

If you object to the relief requested in this paper you must file a response with the Clerk of Court at 400 W. Washington Street, Suite 5100, Orlando, Florida 32801 and serve a copy of the same on the Chapter 13 Trustee, Laurie K. Weatherford, Post Office Box 3450, Winter Park, Florida 32790 (and any other appropriate persons) within the time frame allowed within 21 days from the date of the attached proof of service, plus an additional three days if this paper was served on any party by U.S. Mail.

If you file and serve a response within the time permitted, the Court will either notify you of a hearing date or the Court will consider the response and grant or deny the relief requested in this paper without a hearing. If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, and the Court may grant or deny the relief requested without further notice or hearing.

You should read these papers carefully and discuss them with your attorney if you have one. If the paper is an objection to your claim in this bankruptcy case, your claim may be reduced, modified, or eliminated if you do not timely file and serve a response.

COMES NOW, Laurie K. Weatherford, the Chapter 13 Trustee, and files her Motion to Dismiss Case for Incurring Post-Petition Debt, and as grounds states as follows:

1. That the Chapter 13 Petition for relief was filed on October 09, 2019.
2. That the Order Confirming Plan was entered on February 26, 2020.
3. The Confirmation Order entered by this Court states that “The Debtor is prohibited f r o m incurring any post-confirmation debt during the term of this plan without prior approval of the Court or the Trustee”.
4. The Debtor incurred post-petition tax liabilities to the IRS for \$488.00 in the tax years(s) 2023.

5. The Trustee has requested proof that the Debtor has paid all post-petition taxes that have been incurred, but as of the date of the filing of this motion, has not received proof of payment.

6. The Trustee is unable to file a report of completion of plan until the Debtor has performed as required under the Bankruptcy Code and the Order Confirming plan relating to post-petition tax debt.

WHEREFORE, the Trustee prays that this Court will grant this Motion and dismiss this case.

Certificate of Service

I HEREBY CERTIFY, that a true and correct copy of the foregoing was served upon the parties listed below by first-class U.S. Mail, postage prepaid or by Electronic Notification through the Court's ECF System at the e-mail address registered with the Court, on this 5th day of September, 2024.

Debtor - Cheryl Sue Bennett, 721 Royal Oak Drive East, Winter Garden, FL 34787

Debtor's Attorney - Jennifer A Englert, Orlando Law Group, 12301 Lake Underhill Rd, Ste 213, Orlando, FL 32828-4511

/S/ LAURIE K. WEATHERFORD

Chapter 13 Trustee
Stuart Ferderer
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